DOCUMENT RESUME

ED 227 572 EA 015 495

TITLE Toward More Local Control: Financial Reform for Public Education. Final Report.
INSTITUTION Advisory Panel on Financing Elementary and Secondary Education, Washington, DC.
PUB DATE 31 Dec 82
NOTE 45p.
PUB TYPE Viewpoints (120) -- Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Block Grants; Decentralization; *Educational Finance; Educational Policy; Educational Vouchers; Elementary Secondary Education; *Federal Aid; *Federal Government; *Finance Reform; *Government Role; Private Education; *Public Education; Public Policy; School District Autonomy; Tax Credits; Tuition

ABSTRACT

The Advisory Panel on Financing Elementary and Secondary Education appointed by President Reagan in 1982 developed recommendations regarding both the Federal role in education and the practical means for carrying out that role. To encourage accountability and educational quality, the panel urged giving locally selected authorities primary responsibility for educational administration and funding. The Federal role proposed by the panel would be restricted to funding the programs required by Federal law and would limit both the enforcement of intrusive Federal regulations and the mandating of national educational objectives. The panel also encouraged support of private education as a competivtive alternative to public schooling. The panel's short-term practical recommendations included consolidating Federal categorical grant programs into less-regulated block grants, establishing educational voucher programs, offering tuition tax credits, and involving the private sector. Longer-term recommendations were to dismantle the U.S. Department of Education, turn Federal revenues back to the states originating them, deregulate public schools, encourage school-based management, and structurally reform public education. A minority of the panel disagreed with the majority's recommendations regarding education vouchers and tuition tax credits, submitting a minority report. Materials supporting the final report are provided along with a bibliography. (PGD)

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Toward More Local Control: Financial Reform for Public Education

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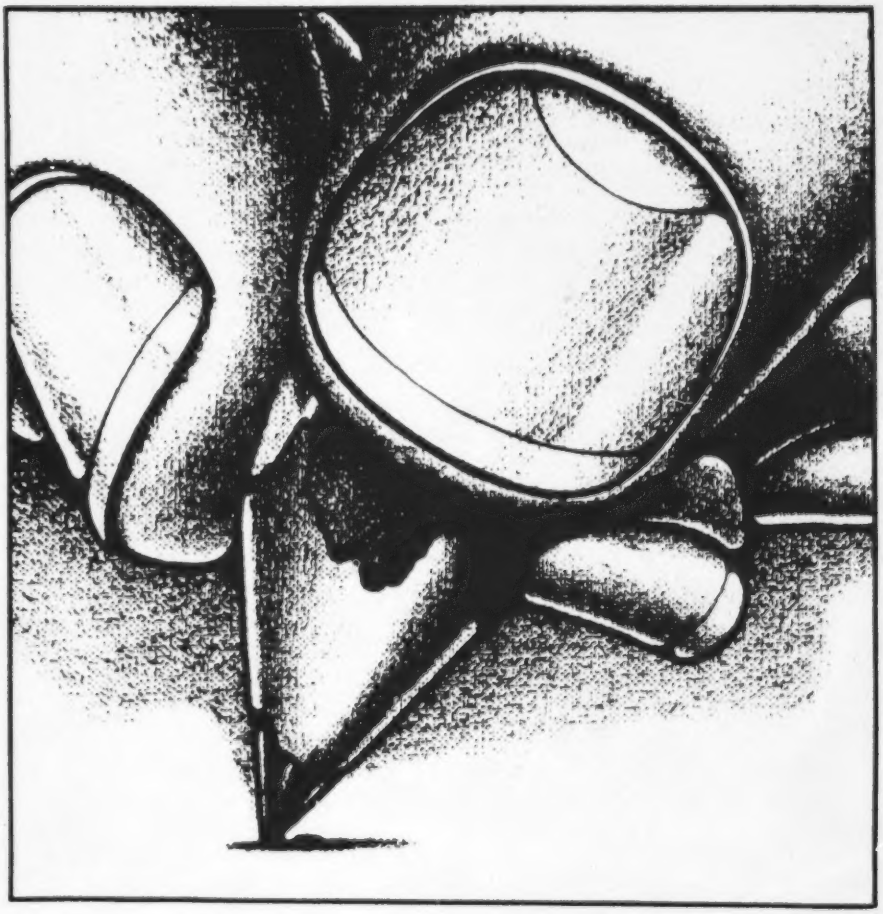

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EA 015 495

FINAL REPORT OF THE ADVISORY PANEL ON FINANCING ELEMENTARY AND SECONDARY EDUCATION

TOWARD MORE LOCAL CONTROL:
FINANCIAL REFORM FOR PUBLIC EDUCATION

FINAL REPORT OF THE
ADVISORY PANEL ON FINANCING
ELEMENTARY AND SECONDARY EDUCATION

DECEMBER 31, 1982

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AUTHORIZING LEGISLATION

The Advisory Panel on Financing Elementary and Secondary Education was established by Section 1203, Title XII of the Education Amendments of 1978 (P.L. 95-561). President Reagan appointed the present members on May 13, 1982.

The Panel's mission is to provide the President, the Secretary of Education, and the Congress with advice and counsel concerning public policies on raising and distributing revenues to support elementary and secondary education--both public and private.

The Panel held three public meetings during calendar year 1982. A portion of the August 5 and 6 meeting was closed to the public for a discussion of personnel matters. The dates and locations of the meetings were as follows:

August 5 and 6, 1982	Washington, D.C.
September 27 and 28, 1982	San Francisco, California
December 16, 1982	Washington, D.C.

This Final Report includes the recommendations of the Panel and is being submitted in accordance with P.L. 95-561.

PREAMBLE

We, the fourteen members of the Presidential Advisory Panel on Financing Elementary and Secondary Education, affirm that our primary purpose is to advance the quality of American education. Our nation's children are the greatest single resource of these United States. It is our children who will inherit our nation, her traditions and ways, and it is by educating our children that we best prepare them for the responsibilities and privileges of being citizens of this federal republic, a union of states. Furthermore, education of the citizenry must strive for standards of excellence compatible with the effective functioning of this republic. Consequently, this Panel affirms that the improvement of American education in every regard is a goal toward which we must strive. Toward this goal, this Panel not only sets forth a philosophy and a program for making the financial support of American elementary and secondary education more effective, but also sets forth its suggestions for means of achieving that goal.

STATEMENT OF OBJECTIVE

A. The Concern

This Panel, in prior sessions with prior membership appears to have viewed equality as its single guiding principle in considering school finance and in recommending which government levels should play which roles in the funding of elementary and secondary education.

Without diminishing the importance of equality, this present Panel has made its central concern the quality of education in America and has looked at school finance from the standpoint of seeking solutions that maximize the overall quality.

B. The Philosophy

We believe, very simply, that the quality of education as well as its accountability is directly related to how closely its administration and funding are to the people it serves. In other words, the principle of subsidiarity should apply--the level of government closest to the people ought to do the work. It is the unanimous conviction of the Panel that the fundamental responsibility for public education should reside at the state and local levels. Although we recognize the authority of the state to set minimum educational standards, we also recognize that parents have the primary right to determine the type of school in which their children will be educated and the primary responsibility for educating their children.

C. Resulting Objective

Consistent with the philosophy stated above, this Panel believes that the federal role in the financing of education should be restricted to the funding of those expenditures which state and local governments are required by federal law to make and to those appropriations which are necessary to minimize educational inequities encountered by children from low income families or caused by unique demographic circumstances. Furthermore, this Panel is convinced that competition enhances academic excellence and therefore believes that private education (an alternative to public education) should be preserved and protected.

CURRENT PROBLEMS

The over-extended and sometimes intrusive role currently taken by the federal government in the financing of education causes problems relating to constitutional authority, to equity and fairness, and to improper control over educational content. Specifically, the manifestations of these problems are as follows:

Department of Education

Perhaps the most glaring problem, for a Panel committed to decentralization and deregulation, is the federal government's violation of its proper role in education. The very existence of the Department of Education implies a federal level priority in education. A Department of Education was proposed to coordinate and organize the federal education programs, but the Department does more than organize and administer education programs. The Department is a "back door" through which the federal government can and does control educational policy and decision-making--a duty which should be performed by the states or localities.

Intrusive Federal Mandates and Regulations

Through the coercive effect of categorical grant programs, the direct mandates of legislation, and the pervasiveness of the resulting regulations, the federal government is able to influence and on occasion control the educational process.[1] The danger of an imposed national curriculum is implicit in this situation.

Federal grant programs provide funding incentives to states and localities. Under these programs, accepting the money is optional, but once it has been accepted the states and localities must comply with the accompanying guidelines and regulations.[2] This Panel believes that many of the federal government's policies, mandates and regulations are unjustified and intrusive, and that they provide the means by which the federal agencies control the school program.[3] For example, under P.L. 94-142 (the Education for All Handicapped Children Act) and Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination against the handicapped) Congress required only that the states and localities supply the services necessary to ensure that handicapped persons are educated in the least restrictive environment. The implementing regulations, however, require that each handicapped child have an individualized education program and gives parents a right to a hearing, appeal, and resort to the courts. The Department has thus adopted regulations which have imposed costly and unreasonable burdens of proof on local education agencies.[4]

The state education agencies have become overburdened with excessive paperwork and administrative details imposed by federal regulations. According to the National Center for Education Statistics, in 1980 the federal paperwork burden on state and local institutions had climbed to 9.5 million man hours a year. Although the policies of the current administration have reduced the burden significantly, paperwork still represents a diversion of academic resources to non-academic purposes which weakens the ability of educators to educate, diminishes the quality of education and is, for the most part, a major waste of time and money.

The federal government's mandates are frequently underfunded and require the states and localities to divert local funds to priorities established by federal

law with which they often do not agree.[5] Moreover, these mandates and regulations are often both ineffective and counterproductive in assisting the states in educating their citizens.[6]

The strength of our federal system lies in its ability to recognize and accommodate local diversity and pluralism. Its current shortcoming, in the field of public education, is that federal policies too frequently attempt to force all educational policy to conform to a national mold.

Social Engineering

When the federal level of government finances educational programs, it all too often feels the necessity to control the content of that education...and often views education as a mechanism for bringing about social change rather than as the transmittal of knowledge, information, and understanding of objective reality.

Inequity for Private School Patrons

The Panel recognizes America's private schools for their contributions to education and recognizes them as a "competition-base" which positively influences the quality of public education. A situation of basic double taxation exists with parents who pay private school tuition and yet receive no reduction in their tax support of public schools.

RECOMMENDATIONS

The primary purpose of this Panel is to advance the quality and excellence of American education. We believe that American education can be improved by financing elementary and secondary schools in ways that maximize local control and accountability. Therefore, we intend to offer some practical and effective suggestions and alternatives to federal programs and policies which have often failed to achieve these objectives.[7]

I. Begin Now to Return Educational Autonomy to State and Local Levels by Instituting the Following:

A. Block Grants

This Panel views the block grant as a way of financing education that will increase state and local control and accountability, and lead, eventually, to the elimination of the federal role in education policy making.

By consolidating the categorical programs into block grants the federal government will be able to give the states and localities financial assistance in order to educate the citizens without stifling local initiative. Narrow targeting based on federally established priorities, regulations, and administrative burdens that accompany categorical aid will be substantially reduced. As a result, the state education agencies and the local education agencies will be in a better position to respond to the desires of the parents, teachers, and local taxpayers and offer programs and services that meet locally identified needs and priorities.[8] Furthermore, it is thought that block grants can ameliorate the effects of cuts in categorical programs that have to be made by eliminating the targeting and administrative waste in the categorical program structure.

This Panel believes that block grants, with the fewest restrictions, will be the most effective in maximizing local control and accountability and therefore, recommends that only those requirements necessary to protect civil rights and to ensure expenditure of the funds for educational purpose be attached to the receipt of federal money.

B. Vouchers

While the Panel acknowledges the need for a great deal of careful thought, particularily at the state and local level, as to the details of how a voucher system would be implemented, we find the theory of voucherized education to be in harmony with our objectives of returning educational control to the most local levels and even to the homes of America's school children.

A voucher is a negotiable certificate that would be given directly to the parents rather than to the school. Parents, using the certificate, would then enroll their children in the school of their choice. Schools would exchange this certificate for the funds.

Vouchers would allow parents to choose the type of education they want for their children; be it public, parochial or private. Proponents of the voucher system maintain that it would increase competition among the schools making the public schools more responsive to parental desires. Vouchers would tend to redistribute power to individual schools and families.

Chapter I is the largest federal elementary and secondary school aid program. It is larger than all other federal elementary and secondary programs combined. Chapter I money is given to local school districts to help educate lower income children. The more qualifying children a district has, the more money it gets.

The Panel recommends that Chapter I (Part A) be voucherized and the states be held accountable. The "anti-poverty" orientation would remain, but the money (in voucher form) would go directly to the childrens' parents rather than the public school districts. Voucherizing the Chapter I program would fulfill the original intent of Congress to provide "equitable services" for all children including those in private schools. This type of program would not increase the federal deficit because it simply restructures a program that already exists and redirects money that is already being spent. Such a program would give more flexibility to the states.

About 1/3 of all school aged children are eligible for Chapter I funds (about 16 million), yet today only about 5 million children at about $600 each are receiving aid. Therefore, before implementing such a program a decision would have to be made as to the number of children to be served, the amount of aid to be given each child and the eligibility requirements. There are three alternatives:

(1) serve <u>all</u> currently eligible children, but provide a voucher worth only about $200,

(2) redefine eligibility more narrowly so as to include only the very poorest--serving a smaller number of children more generously, or

(3) increase Chapter I expenditures so as to provide a larger voucher without narrowing eligibility.

The second alternative seems to be best. It would require no new expenditures, but would narrow the existing eligibility standards. Furthermore, a larger voucher would give poor students a real opportunity to transfer to private schools and therefore create more competition between public and private schools.

The administrative burdens under this voucher system would be different than those currently experienced under Chapter I. The biggest job would be calculating and verifying who is eligible to receive benefits. This type of job is already being done by state and local governments for other income transfer programs, therefore the additional work would not be overwhelming.

Since some students in the private schools would be eligible for Chapter I funds the law would have to prohibit private schools from accepting the voucher if that school were engaged in discriminatory practices. The law would also have to specify that the voucher is not to be considered as direct aid to private schools.

C. <u>Tuition Tax Credits</u>

This Panel, in working to advance the quality and excellence of American education, encourages positive moves to broaden educational opportunity and therefore, recommends that tuition tax credits be made available to those parents who wish to place their children in private schools.[9]

The purpose of elementary and secondary schools is to educate our children. Private schools have been as effective as public schools in carrying out this mission.[10] Furthermore, since 1925, parents have had the right to choose private education as an alternative to government schools.[11] Tuition tax credits would give all parents--including the middle-and lower-income--a genuine choice in education.[12]

The tuition tax credit, by enhancing parental choice, can stimulate competition and healthy competition will improve the quality of our schools.[13]

Tuition tax credits are similar to other federal school aid programs which provide student aid rather than institutional aid. Tuition tax credits will give relief directly to the private school families rather than the school.

The cost of education may be constrained by making tuition tax credits available to parents who wish to send their children to private school because while there will be fewer students in the public schools private school parents will continue to pay taxes to finance the local schools.

This Panel's recommendation for tuition tax credits is made with the clear proviso that public funding, direct or indirect, should not entail further government supervision or regulation of private education policy or practice.[14] Private schools should be left to determine their own educational direction subject only to state requirements and to their own governing bodies and to the parents/families who patronize them.

D. Involve the Private Sector in Financing

There are a wealth of resources available in the private sector to help meet the educational needs of our children; therefore, this Panel strongly encourages those in the private sector to work cooperatively with the states and localities to improve our public schools.

This Panel recommends the following programs as examples of realistic options:

Adopt-a-School Program

The Adopt-a-School Program is a highly successful program in which businesses, universities, hospitals, and community organizations are paired up with an elementary and/or secondary school and, through activities offered to encourage greater student achievement and participation in school, work to improve the students' ability to read, write, and compute.[15]

School Foundation Movement

The School Foundation Movement emerged in California in response to budget cuts, Proposition 13 and the Serrano decision. Private, non-profit, tax-exempt organizations have been formed (at the school district level) to raise money in order to finance elementary and secondary school programs.[16]

School Volunteer Program

The School Volunteer Program is a program in which parents, businessmen, and other citizens volunteer their services to the elementary and secondary

schools. Volunteer activities in the schools can range from individualized tutoring in math or english to accompanying choral groups on the piano to sponsoring special projects.[17]

Privately Endowed Public Schools

Private citizens have made significant contributions to public education by endowing elementary and secondary schools.[18]

II. Long-term Recommendations:

A. Systematically Dismantle the U.S. Department of Education

Inherent in the Panel's belief in returning power and authority to the state and local levels is the dismantlement of the U.S. Department of Education.

This Panel recommends the following plan for dismantling the Department giving priority to elementary and secondary education. The elementary and secondary discretionary grant programs (i.e. Bilingual Education, National Diffusion Network, Women's Educational Equity Act Program) should be eliminated either through block grants or the budgetary process. Next, Chapter I should be voucherized (for detailed explanation see pp. 5-6). Until, revenue sources can be returned to the state and local levels, we recommend that 2% of all federal income taxes be returned to the state from which it is collected to be used to finance elementary and secondary education programs (i.e. the formula grant programs--Handicapped education, Vocational education) without federal direction, control, or interference. Impact Aid, also a formula grant program, should be eliminated. While Impact Aid does not have an adverse effect on the quality of education, it is an expenditure of federal dollars in areas already receiving the benefit of federal spending.

B. Revenue Source Return

This Panel believes that the quality of education is directly related to how closely its administration and funding are to the people it serves; therefore, we view revenue source return as the long term objective for financing elementary and secondary education.

A Resource Turnback Program

The objective of a resource turnback program is to return both the overall taxing and spending responsibilities for education to the state and local governments.[19] Such a program would work as follows: a federal program is matched with a federal tax collected specifically to fund the program or a tax that (in the aggregate) equals the cost of the program. The federal government, then, turns the responsibility for the program and the "matched" revenue source for financing the program back to the states. For example, the elementary and secondary education categorical programs could be matched with the excise tax on alcohol, tobacco, gasoline, and/or telephones. The states, then, would accept responsibility for the programs (e.g. they will no longer receive the federal grant dollars) and would collect the excise tax in order to finance their own education programs. (Illustrated in Table 1).

This Panel recognizes that, given the differences in need and taxing capacity among the states, it is inevitable that under a resource turnback program

TABLE 1

TABLE OF POTENTIAL TURNBACK PACKAGES; USING DATA FOR FY80

Turnback Packages	Program Clusters From Which Terminations Are Made: Elem. & Sec. Ed.	Higher Ed.	Voc. Education	Libraries	Highways	Transit*	Solid Waste	Fire Protection	Natural Resources	Community Dev.	Economic Dev.	Arts & Humanities	Employment & Trng.	Nutrition	Food Stamps	Health Services	Medicaid	Social Services	AFDC	Volunteer Services	Miscellaneous	Resource Return Device: Motor Fuels Excise	Cigarettes Excise	Alcohol Excise	Income Tax	Per Cap. Rev. Shg.	Revenue Sharing	Rev. Shg Revised	Selectiv. Rev. Shg.	Amounts ($ in billions)	Standard Deviation Net Per Cap. Effect
2. Education, Health Services, ...																													$7.9	
(A)	X	X	X	X			X	X				X				X					X		X	X						$12.87
(B)	X	X	X	X			X	X				X				X					X				X					$14.82
(C)	X	X	X	X			X	X				X				X					X					X				$12.50
(D)	X	X	X	X			X	X				X				X					X						X			$12.27
(E)	X	X	X	X			X	X				X				X					X							X		$13.00

Standard Deviation Net Per Capita Effect: the standard deviation illustrates the average departure from the perfect match between responsibilities and fiscal relief obtained among the states. The standard deviation of net per capita fiscal effects was population weighted in order to give due weight to to effects in the more populous states. The larger the indicator the greater the mismatch.

Source: "Changing the Federal Aid System: An Analysis of Alternative Resource/Responsibility Turnbacks and Program Trade-offs", Advisory Commission on Intergovernmental Relations. Washington, D.C. January 1982.

there will be "winners" and "losers". The "winners" will, generally, be those states that are not heavily dependent on the federal program, or in which a disproportionate share of the particular tax is, for whatever reason, collected. The "losers", generally will be those states that are heavily dependent on the federal program or which are incapable of raising enough money from the particular tax source to provide services equal to those currently financed by the federal government. (Illustrated in Table 2.)

Hold - Harmless Provision

In order to minimize this win/lose situation, the return of resources can be divided into two parts: the basic return (via revenue sharing, tax cuts, etc.) proportioned so that no state will receive more than enough to replace the lost grants and a supplementary grant that would be "distributed in such a way as to bring all states up to or nearly up to the level of lost grants."[20] This could be accomplished by creating a national trust fund to ease any disproportionate funding between the states and to help all states overcome any initial fiscal year funding delays. (Illustrated in Table 3.)

This Panel supports continued study of tax turnbacks and program trade-offs as methods for decongesting the federal grant system. We are encouraged to see that elementary and secondary education categorical programs are included in the Administration's proposal for a New Federalism which combine program trade-offs and resource turnbacks.[21]

C. Deregulate Public Schools

The particular strength of the private elementary and secondary schools lies in their relative freedom from the legal constraints which bind the public school system. Private schools are not obligated to accept and retain all comers, without regard to academic qualifications or scholastic performance. They are free to apply standards of discipline and to insist upon standards of conduct which public schools cannot by law impose on their student population. As a result of unrealistic compulsory attendance laws, the public schools are often forced to become warehouses for students who have lost all interest in education, and who are themselves a major source of disruption and a major impediment to learning. At least in some states, private schools are free to hire teachers who are qualified by education or experience to teach particular subjects, without regard to whether they meet state certification requirements, and to promote, compensate and discharge teachers purely on the basis of performance.

Although the Panel recognizes that these matters are largely within the control of the states, it seems appropriate to comment on these and other factors which add unnecessarily to the cost of public education, or which diminish its effectiveness. Accordingly, the Panel recommends:

(1) That any federal regulations which interfere with local authority to discipline or remove disruptive or uninterested students be eliminated.

(2) That the states be encouraged to review the process of teacher certification with the view of removing unrealistic barriers to the certification of qualified teachers.

TABLE 2

SUMMARY OF TURNBACK ILLUSTRATIONS (1980 Data)

Responsibilities Turned Back Names refer to either Program Clusters for which many grants are terminated (see appendix) or specific program grants. (# Grants Terminated) Dollar Amount ($000)	2(A)	2(B)	2(C)	2(D)	2(E)
		Education, Health Services, Libraries, Solid Waste, Fire Protection, Arts & Humanities, and Miscellaneous.			
			(205) $7,874,701		
Resource Turnback Percent of Lost Grants Replaced	(A) Excises on Cigs and Alcohol 99.9%	(B) Income Tax Share 99.9%	(C) Per Capita Revenue Sharing 99.9%	(D) General Revenue Sharing Formula 99.9%	(E) Revised Revenue Sharing (Fiscal Capacity) 99.9%
Mismatch Indicators The larger the indicator the greater the mismatch. a)Standard Deviation of Net Per Capita Effects[1] b)Percent: standard deviation divided by per capita size of responsibility turnback.	$12.87 37%	$14.82 43%	$12.50 36%	$12.27 35%	$13.00 37%
Fiscal Disparities After Turnback Standard Deviation of re-computed fiscal capacity indicies (absolute change from pre-turnback value of 13.88; "+" means higher disparities due to turnback)	14.34 (+0.46)	14.55 (+0.67)	14.16 (+0.28)	14.09 (+0.21)	13.88 no change
Extremes in Net Per Capita Effects Winners:	Nevada +$45 N. Hampshire +$36 Florida +$16	Connecticut +$20 Nevada +$15 Washington +$13	Indiana +$8 Florida +$8 Wisconsin +$8	New York +$13 Wisconsin +$12 California +$11	New York +$19 Wisconsin +$13 Massachusetts +$10
Losers:	D.C. -$160 Mississippi -$40 Alabama -$22	D.C. -$183 Mississippi -$49 S. Dakota -$29	D.C. -$196 Mississippi -$34 Alaska -$28	D.C. -$180 Mississippi -$25 Alabama -$17	D.C. -$177 N. Mexico -$26 Wyoming -$24

1/ Population weighted

Fiscal Capacity Indicies: these numbers show the relative capacity of a state to raise revenue of its own.

Source: "Changing the Federal Aid System: An Analysis of Alternative Resource/Responsibility Turnbacks and Program Trade-offs", Advisory Commission on Intergovernmental Relations. Washington, D.C. January 1982.

TABLE 3

2(a) with a hold harmless provision

RETURN OF EDUCATION, HEALTH SERVICES, LIBRARIES, SOLID WASTE, FIRE PROTECTION, ARTS & HUMANITIES, AND MISCELLANEOUS

RETURN OF FINANCING VIA PORTIONS OF THE EXCISES ON CIGARETTES, DISTILLED SPIRITS, AND BEER, PLUS HOLD-HARMLESS SUB MENT

STATE	EXHIBIT: FULL RESOURCE TURNBACK ($000)	RESPONSIBILITY TURNBACK ($000)	REVISED 61.9% RESOURCE TURNBACK ($000)	HOLD-HARMLESS SUPPLEMENT ($000)	REVISED TOTAL RESOURCE TURNBACK ($000)	REVISED NET EFFECT ($000)	REVISED NET EFFECT PER CAPITA	REVISED NET EFFECT AS PERCENT OF OWN SOURCE REVENUE
Alabama	$103,756	$188,869	$64,313	$123,311	$187,625	-$1,243	-$0.32	-0.03%
Alaska	$18,181	$25,158	$11,258	$13,757	$25,016	-$138	-$0.35	0.00%
Arizona	$93,143	$104,716	$57,629	$46,617	$104,246	-$470	-$0.17	-0.01%
Arkansas	$60,794	$102,872	$37,685	$64,536	$102,221	-$650	-$0.28	-0.03%
California	$891,836	$658,197	$551,806	$105,328	$657,135	-$1,062	-$0.04	0.00%
Colorado	$115,863	$97,355	$71,721	$25,377	$97,099	-$255	-$0.09	-0.01%
Connecticut	$111,188	$93,713	$68,876	$24,589	$93,465	-$248	-$0.08	-0.01%
Delaware	$25,589	$23,099	$15,849	$7,137	$22,987	-$71	-$0.12	-0.01%
Washington D.C.	$45,041	$147,161	$27,885	$118,085	$145,970	-$1,190	-$1.87	-0.11%
Florida	$412,859	$257,510	$255,286	$2,201	$257,488	-$22	$0.00	0.00%
Georgia	$182,396	$197,126	$113,006	$83,280	$196,287	-$839	-$0.15	-0.01%
Hawaii	$33,770	$53,025	$20,882	$31,821	$52,704	-$320	-$0.33	-0.02%
Idaho	$26,845	$26,546	$16,616	$9,831	$26,447	-$99	-$0.11	-0.01%
Illinois	$423,352	$353,887	$262,173	$90,798	$352,972	-$915	-$0.08	-0.01%
Indiana	$168,834	$144,691	$104,634	$39,656	$144,291	-$399	-$0.07	-0.01%
Iowa	$84,597	$93,470	$52,385	$40,675	$93,060	-$410	-$0.14	-0.01%
Kansas	$63,647	$77,771	$39,432	$37,955	$77,388	-$382	-$0.16	-0.01%
Kentucky	$125,813	$137,798	$78,103	$59,099	$137,202	-$596	-$0.16	-0.02%
Louisiana	$145,699	$173,769	$90,256	$82,678	$172,935	-$833	-$0.20	-0.02%
Maine	$39,990	$50,964	$24,772	$25,929	$50,702	-$261	-$0.23	-0.02%
Maryland	$171,226	$169,560	$106,023	$62,902	$168,926	-$634	-$0.15	-0.01%
Massachusetts	$225,703	$204,541	$139,711	$64,181	$203,893	-$647	-$0.11	-0.01%
Michigan	$323,562	$315,182	$200,449	$113,588	$314,037	-$1,145	-$0.12	-0.01%
Minnesota	$148,846	$120,474	$92,151	$28,039	$120,191	-$282	-$0.07	0.00%
Mississippi	$73,210	$174,136	$45,362	$127,488	$172,850	-$1,285	-$0.51	-0.05%
Missouri	$151,314	$158,061	$93,737	$63,681	$157,419	-$642	-$0.13	-0.01%
Montana	$26,304	$35,501	$17,512	$17,808	$35,321	-$179	-$0.23	-0.02%
Nebraska	$50,366	$58,742	$31,171	$27,295	$58,467	-$275	-$0.18	-0.01%
Nevada	$58,300	$22,245	$36,084	$0	$36,084	$13,839	$17.32	1.21%
New Hampshire	$65,555	$31,955	$40,618	$0	$40,618	$8,662	$9.41	0.95%
New Jersey	$262,253	$228,076	$162,425	$64,995	$227,420	-$655	-$0.09	-0.01%
New Mexico	$39,670	$64,443	$24,540	$39,504	$64,044	-$398	-$0.31	-0.02%
New York	$645,587	$644,040	$399,865	$241,736	$641,602	-$2,438	-$0.14	-0.01%
North Carolina	$202,974	$233,037	$125,908	$106,059	$231,968	-$1,069	-$0.18	-0.02%
North Dakota	$23,623	$31,464	$14,624	$16,671	$31,296	-$168	-$0.26	-0.02%
Ohio	$320,812	$355,141	$198,708	$154,870	$353,579	-$1,561	-$0.14	-0.01%
Oklahoma	$86,382	$110,010	$53,540	$55,906	$109,446	-$563	-$0.19	-0.02%
Oregon	$89,971	$79,409	$55,734	$23,437	$79,172	-$236	-$0.09	-0.01%
Pennsylvania	$351,962	$391,650	$217,900	$172,014	$389,915	-$1,734	-$0.15	-0.01%
Rhode Island	$37,026	$42,821	$22,933	$19,689	$42,623	-$198	-$0.21	-0.02%
South Carolina	$106,194	$152,258	$65,789	$85,605	$151,395	-$863	-$0.28	-0.03%
South Dakota	$23,052	$36,541	$14,273	$22,045	$36,319	-$222	-$0.32	-0.03%
Tennessee	$125,170	$167,816	$77,566	$89,349	$166,915	-$901	-$0.20	-0.02%
Texas	$456,036	$445,171	$282,195	$161,348	$443,543	-$1,627	-$0.11	-0.01%
Utah	$27,640	$43,184	$17,111	$25,812	$42,923	-$260	-$0.18	-0.02%
Vermont	$22,048	$26,114	$13,659	$12,330	$25,989	-$124	-$0.24	-0.02%
Virginia	$178,406	$178,576	$110,557	$67,380	$177,897	-$679	-$0.13	-0.01%
Washington	$136,517	$113,388	$84,476	$28,623	$113,100	-$288	-$0.07	0.00%
West Virginia	$51,709	$88,616	$32,046	$56,005	$88,051	-$564	-$0.29	-0.03%
Wisconsin	$191,199	$125,784	$118,295	$7,464	$125,709	-$75	-$0.02	0.00%
Wyoming	$19,998	$19,089	$12,381	$6,640	$19,022	-$66	-$0.14	-0.01%
TOTALS	$7,866,999	$7,874,701	$4,871,885	$2,995,110	$7,866,996	-$7,705	-$0.03	0.00%

ACIR Staff

Source: "Changing the Federal Aid System: An Analysis of Alternative Resource/Responsibility Turnbacks and Program Trade-offs", Advisory Commission on Intergovernmental Relations. Washington, D.C. January 1982.

(3) That the states be encouraged to review the process of teacher compensation, promotion and discharge, with the objective of rewarding competence and performance.

(4) That the states be encouraged to review compulsory attendance laws with the objective of permitting the removal from the public school system of students above the age of 15 who are not achieving academically, and who have no further interest in education.

D. School Based Management: A Policy Option

School based management is a decentralized form of school district management which has been formulated and approved by local school boards to promote decision-making, control and accountability within each school.[22] Through shared decision-making exercised at the lowest effective level, local control and accountability will be maximized and the potential for parental/community involvement will increase.[23] In certain states, due to referenda and other measures, local school boards have been deprived of decision-making authority with regard to school budgets and other matters. In other states, there are no locally elected school boards. In cases such as these, school based management may be a policy option to maximize efficiency and community involvement.

On balance, the Panel views school based management as a good alternative for allocating existing dollars according to the locally established program priorities.[24]

We encourage states, depending on their local structures and needs, to consider school based management.

E. Reforming Public Education

This Panel believes that fundamental changes need to be made in our public school system in order to return to parents, teachers and local administrators the authority and control that is necessary to operate the public schools.[25]

To create a structure, on a local level, in which parents, teachers and principals are able to educate, the authority relationships in the schools have to be changed and the parents and citizens must be given the opportunity to choose the educational program that best meets their children's needs. Therefore, we suggest that the states give their serious consideration to ideas and policies which maximize personal freedom of choice and which involve parents in decision-making and policy direction. For example:

1) Greater flexibility should be given to students to attend any school in their state or region provided appropriate financial arrangements are made.

2) In cases where large scale school districts have become financially inefficient and out of contact with local preferences, deconsolidation ought to be an option.

3) State laws should authorize apprenticeship-partnerships between schools and businesses beginning in the junior year. Such programs would provide appropriate tax incentives to businesses willing to undertake such programs.

4) State law should allow for districts without boundaries, to allow for the emergence of specialized schools that require large support populations.[26]

We believe that if policies like these are adopted authority will be returned to the parents and local communities, parents will begin again to exercise their choice and participate in the education of their children, and the public schools will begin to engage in beneficial competition.

RECORD OF VOTE TO APPROVE THE FINAL REPORT

DECEMBER 16, 1982

		YES	NO	ABSTAIN
BEER		X		
DANO	Absent			
DELLINGER	Absent			
EYRE		X		
HALL	Absent			
HAMPTON				X
HESS		X		
HUNTER		X		
MADONIA				X
MARSHNER		X		
MAXWELL				X
MITCHELL			X	
NIKITAS		X		
RAMIREZ		X		

MINORITY REPORT

Although there are several items in the majority report with which one or more of the undersigned disagree, we are particularly concerned over the majority's recommendations with respect to vouchers and tuition tax credits and feel compelled to record our unanimous dissent with respect to those recommendations.

Education Vouchers

We regard the entire concept of vouchers as a quagmire of uncertainty, neither the practical implementation nor the educational value of which has ever been proven or even adequately tested. The majority report recommends that vouchers be provided to the nation's neediest students (defined by low income rather than low achievement) in lieu of the funding currently available under Chapter I of the Federal Education Act of 1981 (ECIA). This recommendation is based on three equally questionable assumptions. The first assumption is that the Chapter I program as currently funded and administered is not working, or that it would work better under a voucher system. The second assumption is that most very low income parents would carefully consider the options and then choose the school offering the best available program for their child, and third, that these parents will in fact have the option under a voucherized Chapter I program to choose between private or public schooling for their children.

The Chapter I program as currently designed concentrates money in schools and school districts serving large numbers of students from low income families. Within particular schools, Chapter I funds are targeted on the lowest achieving students. The emphasis is on compensatory education primarily focused on developing reading, writing, and computational skills.

Every major study of the Chapter I program indicates that the program reaches its intended beneficiaries (low income, low achieving students) and that it successfully provides the compensatory services contemplated by Chapter I without imposing unrealistic regulatory burdens on the school districts receiving the funds.

Evidence from the very limited experiment with vouchers in Alum Rock, California, indicates that even with the provision of free transportation, geographical location was the single most important factor in parental placement decisions. Furthermore, curriculum factors proved to be less important than non-instructional factors in determining parental choice of schools. Another remarkable conclusion from the Alum Rock experiment was that "despite the use of newspapers, mailings, radio announcements, neighborhood meetings, and information counselors, one-quarter of the residents were unfamiliar with even the existence of the voucher demonstration" over the four year period of the experiment. Those parents with lower educational attainments and non-english speaking backgrounds showed the highest level of unfamiliarity. In short, it defies reality to assume that most of the parents of the "very poorest" of the nation's disadvantaged children--who in many cases are themselves the victims of some of society's most intransigent social problems--will be aware of and will make the best educational choices for their children. Moreover, by restricting eligibility to the "very poorest",

the majority report would eliminate more than two-thirds of the disadvantaged children to whom benefits are currently available, without any consideration of the educational or social impact of such a restriction.

The third assumption of the majority report is that by giving children from the nation's very poorest families a voucher for approximately $500, they will be able to gain admission to a private or public school which will do a better job of meeting their educational needs than the schools they are currently attending. Even assuming that the lowest cost schools would agree to accept the most economically disadvantaged children (a doubtful prospect as these low cost schools are overwhelmingly religiously-affiliated and receive substantial revenues from their congregations), private schools are concentrated in the Northeast and North Central regions of the country and disproportionately in urban areas. Rural school children have only 1/3 the opportunity to attend private schools compared to their central city counterparts. While the South has the largest concentrations of low income students, private schools in this region currently serve only 9 percent of Southern students, and these schools charge higher tuitions than the fees charged by private schools in the North. Most critical is the fact that few private schools have programs designed to benefit students with "special needs". Moreover, should annual tuition exceed $500, a figure which is <u>below</u> the average cost of private schools, can we realistically expect the very poorest families in the nation to finance the additional cost of tuition from their own resources?

In short, is it realistic to assume that giving the nation's very poorest children a "voucher" for $500 will provide most of them, or even some of them, with a better educational opportunity than they currently have? If so, the evidence to support such a conclusion was not made available to the Panel.

One final comment should perhaps be made with respect to the impact of Chapter I funding on private schools.

Private school children are currently eligible for Chapter I funds and actually receive 5% of the total Chapter I appropriation. In fact, the United States Catholic Conference testified that parochial school officials rate the Chapter I program as the most equitable and fairest in providing services and benefits to children in private schools. It is estimated by the Department of Education that the percentage of funds expended for disadvantaged children in private schools corresponds roughly to the percentage of disadvantaged children in the private school population. If a voucher system should be substituted for the current Chapter I program, there is no guarantee that the private schools currently providing such compensatory services would continue to provide them.

The majority concludes its discussion of vouchers by recommending that the states explore the feasibility of substituting the voucher system for the present method of financing elementary and secondary education.

As applied to the states, the voucher system contemplates that each child within a given school district, armed with his or her "education voucher", would be free to choose any public or private school in the district (assuming, in the case of private schools, a willingness to admit the applicant). Some proponents argue that there should be no district boundaries, and that the freedom to choose any school should apply state-wide. In any event, there would be no assignment of children by school authorities except, of course, for those who failed to exercise their right to choose.

If the states accept the majority's recommendation to explore the feasibility of substituting vouchers for methods currently used to finance public schools, their exploration is likely to reveal administrative, staffing, budgetary, and facility problems of mind-boggling proportions. More importantly, the states are likely to discover that, if fully implemented, the voucher system would threaten the very survival of public schools.

Tuition Tax Credits

It is ironic that a Panel so determined to eliminate the last vestige of a federal presence in the financing of public schools would recommend a tuition tax credit, a device which will obviously set the stage for a massive federal intrusion into private school education. (For example, in order to determine who is eligible for the credit, it is going to be necessary for the federal government to define what is a "school". Consider the implication of that problem alone!)

At least three things are implicit in the tuition tax credit proposal recommended by the Panel.

1) The proposal represents a direct federal expenditure of well over $1 billion dollars exclusively for private schools, most of which are located in 8 states.

The tuition tax credit is available only to the parents of children in private schools. The proposal now being considered by Congress will result in an estimated federal revenue loss of more than $1 billion annually. Inasmuch as this estimate is based on the number of families currently enrolling their children in private schools, the federal treasury will lose $1 billion dollars in revenue before a single child transfers from public to private schools. If, as expected, additional parents take advantage of the credit and move their children to private schools, the cost of the tax credit will rise proportionately. Because the expenditure is formulated as a tax credit which will not be subject to the normal appropriation process, it is an open-ended source of funds to private school consumers.

Except for the superficial (and substantially erroneous) argument that the cost of providing public education is reduced proportionately by every child who remains in or transfers to a private school, no one has seriously argued that the tuition tax credit would provide any financial benefit to the public schools.

2) The avowed purpose of tuition tax credits is to encourage both the movement of public school students to private schools and the retention by private schools of their present population.

The argument that tuition tax credits provide parents with a "freedom of choice" proves the point stated above. Obviously, private school students currently have the freedom to choose public schools, with no economic impediment whatever. Public school students, otherwise eligible for private school admission, are denied a "choice" only because they cannot afford private school tuition. The only "choice" fostered by the credit, therefore, would be the choice to move from public to private schools, or the choice to remain in private schools--not vice versa.

The Panel's suggestion that, in the absence of tuition tax credits, our public schools are likely to be inundated by an influx of students from private schools who are no longer able to pay tuition simply ignores reality. Private school enrollment has remained relatively stable at approximately 10% of total school enrollment during the last two decades. Private school enrollment is predicted by the National Center on Education Statistics to increase by approximately 25% by 1988, even without tuition tax credits. Public school enrollment, as a proportion of the whole, is expected to decline during the same period. Tuition tax credits would obviously accelerate this trend, but there is nothing to suggest that the absence of tuition tax credits would reverse it.

3) The benefits of the tuition tax credit would accrue solely to those middle and upper income parents with sufficient federal income tax liability to benefit from the credit.

According to the Congressional Budget Office (and this Panel received no information to the contrary), families with incomes in excess of $30,000 would receive 45% of the benefits of the tuition tax credit. Families earning less than $15,000 would receive only 10% of the benefits. Because of the limited amount of credit ($300 per child per annum when fully implemented) tuition costs would remain a significant financial obstacle for many families. Those families with no income tax liability, or with a tax liability too small to take full advantage of the credit, would obtain no benefit whatever. In consequence, a major portion of the school age population would be totally excluded from whatever benefits the credit is designed to bring.

Because the benefit of the tuition tax credit will enure primarily to middle and upper income families, it can be expected to encourage the movement of children of such families to private schools. Public schools can therefore be expected to lose many of their ablest students and much of their strongest political constituency. The public schools would continue to bear the burden of educating those who have no economic choice. The public schools would also continue to provide a refuge for those unable to qualify for private school admission, or who the private schools, for academic or social reasons, were unwilling to retain. The overall effect on public education could be devastating.

Before leaving the question of equity, one further comment needs to be made. Current private school enrollment is not evenly distributed among the states, and it tends to be concentrated disproportionately in urban areas. Because of this concentration, it is estimated that 53% of the benefits of a tuition tax credit program would accrue to just 8 states--California, Florida, Michigan, Illinois, Ohio, New Jersey, New York, and Pennsylvania. In the absence of dramatic enrollment shifts, 8 other states would not benefit at all from the credit. Similarly, more than three times the number of parents sending their children to urban schools would benefit from the credit than parents sending their children to schools in rural areas.

There is no question but that tuition tax credits would be an economic boon to private schools and to certain middle and upper income parents. There is no evidence with which we are familiar, however, that the proposal would benefit the overall quality of education, public or private, in the United States. The danger is that it would have precisely the opposite effect.

Walter R. Beer
Claudia H. Hampton
Judith E. Madonia
Clark Maxwell
Wiley F. Mitchell

RESOLUTIONS

DECEMBER 16, 1982

Resolution #1 - Block Grants

WHEREAS, block grants will enable the federal government to give states and localities financial assistance in order to educate their citizens without stifling local initiative; and

WHEREAS, block grants, with the fewest restrictions, will increase state and local control and accountability; and

WHEREAS, block grants will substantially reduce narrow targeting based on federally established priorities, regulations, and administrative burdens thereby enabling the state education agencies and local education agencies to respond to the desires of parents, teachers, and local taxpayers and offer services that meet locally identified needs and priorities; and

WHEREAS, block grants are an intermediate step between categorical grant programs and the ultimate return of revenue sources and responsibilities to the states;

NOW THEREFORE BE IT RESOLVED, that the Advisory Panel on Financing Elementary and Secondary Education calls upon Congress to further consolidate the federal categorical school aid programs into block grants.

Resolution #2 - Education Vouchers

WHEREAS, vouchers would allow people to choose the type of education they want for their children; be it public, parochial, or private; and

WHEREAS, a voucher system would increase competition among schools thereby making the schools more responsive to parental desires; and

WHEREAS, vouchers would cut the power of the federal education bureaucracy and redistribute it to individual schools and families; and

WHEREAS, a voucher system would have no effect on the federal budget because it would restructure existing programs and redirect money that is already being spent;

NOW THEREFORE BE IT RESOLVED, that the Advisory Panel on Financing Elementary and Secondary Education calls upon Congress to voucherize Chapter I of the Education Consolidation and Improvement Act of 1981.

Resolution #3 - Tuition Tax Credits

WHEREAS, parents have the primary right to determine the type of school in which their children will be educated and the primary responsibility for educating their children; and

WHEREAS, tuition tax credits are designed to enhance the parents' right to choose; and

WHEREAS, tuition tax credits will increase minority opportunity in education; and

WHEREAS, tuition tax credits will give assistance to middle and low income families who now bear the double burden of taxes and tuition for private school; and

WHEREAS, tuition tax credits will increase competition in American education and thus, potentially, enhance academic excellence;

NOW THEREFORE BE IT RESOLVED, that the Advisory Panel on Financing Elementary and Secondary Education calls upon Congress to pass a tuition tax credit bill.

Resolution #4 - Dismantle the U.S. Department of Education

WHEREAS, the existence of the U.S. Department of Education implies a federal level priority in education; and

WHEREAS, the federal government controls the educational process through the U.S. Department of Education; and

WHEREAS, the state and local governments and the private sector are better able to fill the roll in education now filled by the U.S. Department of Education;

NOW THEREFORE BE IT RESOLVED, that the Advisory Panel on Financing Elementary and Secondary Education calls upon Congress to systematically dismantle the U.S. Department of Education.

Resolution #5 - Revenue Source Return

WHEREAS, responsibility for educating the citizenry should be returned to the states; and

WHEREAS, the states will need financial assistance in fulfilling their new responsibilities;

NOW THEREFORE BE IT RESOLVED, that the Advisory Panel on Financing Elementary and Secondary Education calls upon Congress to develop a revenue source return program that will effectively return the responsibility and resources for education to the states.

Resolution #6 - Deregulate Public Schools

WHEREAS, one particular strength of private elementary and secondary schools is their relative freedom from the legal constraints which bind the public school system; and

WHEREAS, private schools are generally free to hire teachers who are qualified by education or experience without regard to state education certification requirements; and

WHEREAS, public schools might benefit from having more freedom of operation;

NOW THEREFORE BE IT RESOLVED, that the Advisory Panel on Financing Elementary and Secondary Education recommends:

1) That any federal regulations which interfere with local authority to discipline or remove disruptive or uninterested students be eliminated.

2) That the states be encouraged to review the process of teacher certification with the view of removing unrealistic barriers to the certification of qualified teachers.

3) That the states be encouraged to review the process of teacher compensation, promotion and discharge, with the objective of rewarding competence and performance.

4) That the states be encouraged to review compulsory attendance laws with the objective of permitting the removal from the public school system of students above the age of 15 who are not achieving academically, and who have no further interest in education.

NOTES

1. Tyll VanGeel, Authority to Control the School Program (Massachusetts: Lexington Books, 1976), pp. 43-73.

2. i.e. grants-in-aid for Title I, handicapped and bilingual education. "Law on Education of Handicapped Poses Fiscal Burden for Districts", The New York Times, January 30, 1978.

"Officials in New Mexico maintain that they can do a better job of serving the handicapped without constraints of the law and have declared that they would forgo $1 million dollars in Federal aid rather than accept Washington's regulations for the education of the handicapped."

3. Iris C. Rotberg, "Federal Policy in Bilingual Education", American Education, October, 1982. Tyll VanGeel, "The New Law of the Curriculum", School Review, August, 1978. VanGeel, pp. 43-73.

Moreover, whether formula or discretionary grants, recipients must comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination of the handicapped).

For example, the Lau Remedies not only require that school districts provide bilingual education programs for non-english speaking students, but also set forth guidelines for program content, design and implementation. The Lau Remedies require that districts with 20 or more students of the same language group provide bilingual-bicultural programs for each group.

Title IX regulations forbid discrimination in the application of hair and dress codes based on sex. It seems that schools may not even justify their hair length rules for males on the ground that long hair is "disruptive" of the school program.

4. 45 C.F.R. 84 et seq. 1981

5. "Law on the Education of the Handicapped Poses Fiscal Burden for Districts." "Federal Policy in Bilingual Education", p. 37.

"State officials, already burdened with rising costs in other areas, complain that the federal government is paying only 9% of the extra costs schools are compelled to incur" (in order to comply with P.L. 94-142).

"The Lau Remedies, like many other federal and state requirements, must be financed from local revenues rather than from categorical or state funds. The combination of requirements unsupported by funding, decreased local fiscal capacity, and decreased federal funds often creates financial difficulties for school districts."

6. "Federal Policy in Bilingual Education", p. 38. i.e. the Lau Remedies "...there is little evidence to suggest that program regulations have had a significant impact on the quality of instruction at the local level."

7. Paul Copperman, The Literacy Hoax (New York: Morrow Quill Paperbacks, 1980), pp. 170-171, p. 120, p. 53 et seq. Discussion of bilingual education, compensatory education, new math, open education, individualized instruction and ability grouping.

8. Grant Consolidation for Education Programs (Washington, D.C.: CRS, 1982).

"The provisions of the Education Consolidation and Improvement Act of 1981, (P.L. 97-35), Chapter II have been grouped under three program subchapters--basic skills and improvement, educational improvement and support services, and special projects. Funds may be expended for the same purposes as set forth in the previous legislation, but educational needs and priorities among these purposes are to be determined by the SEAs and LEAs. The intent of the legislation is 1) to vest greater power for program administration with the SEAs, 2) to reduce paperwork associated with federal programs, and 3) to place responsibility for design and implementation of programs with local boards of education and school personnel involved in school operation." See Table 1 comparing Title I and Chapter I.

9. Dennis Doyle, "Education Issues: Private", New York University Education Quarterly, Summer, 1981. Tax Expenditures: Current Issues and Five Year Budget Projections for Fiscal Years 1982-1986 (Washington, D.C.: Congressional Budget Office, September, 1981).

A tax credit is a special provision in the tax code which is usually designed to encourage some desired behavior or provide aid to certain categories of people. For example, energy tax credits.

The Panel would also like to see tax credits given to businesses and corporations which help finance elementary/secondary education by giving scholarships, donations or paying the tuition for a number of students.

10. Dennis Doyle, "A Din of Inequity: Private Schools Reconsidered", Teachers College Record, Vol. 82, No. 4 (Summer, 1981), pp. 12-13.

Furthermore, evidence shows that interest in private schools is by no means a "racial phenomenon." (See Tables 2, 3, and 4). Enrollment data by family income also illustrates that while the poor are underrepresented, the differences between the number of wealthy families and the number of poor families are slight--"much smaller than the a priori assumptions about income and social class would suggest." (See Table 5). Furthermore, on the issue of intellectual elitism, while the evidence is weak in this area, it does suggest that most private schools accept students as randomly as do public schools.

11. Pierce v. Society of Sisters, 268 U.S. 510 (1925).

12. The Catholic League, Inner City Private Education: A Study (Milwaukee, Wisconsin, 1982). "Tuition Tax Credits: The President's Proposal", American Education, May, 1982. "A Din of Inequity: Private Schools Reconsidered".

While wealthy parents have always had a real choice in education (whether in a private school or a suburban public school in a high income school district), low income families (a great many of which are minorities) have not always had a choice between public and private schools. Today, the inner city private schools

are a functional alternative to the urban public schools. The average cost of tuition at these schools is $400 a year and the average annual income of these private school parents is $10,000. When many of these families have two or three children in school a tuition tax credit, even if only $200-$300, would be a tremendous help. Moveover, many of these parents would not be able to continue paying tuition if it were increased by just $15.

A tuition tax credit is also intended to provide some relief to the middle income families who now suffer the double burden of paying tuition to private schools and taxes to support public education. "In 1979, a majority of all parents who had children in private elementary and secondary schools had income of $25,000 or less. Secondary school parents pay an average of $900 (in tuition per child/per year) while also supporting their community public schools through local taxes."

13. Robert Hawkins, Jr., "Tuition Tax Credits: Another Voice," American Education, October, 1982, p. 9.

14. i.e. H.R. 1635, Section 5, "Tuition Tax Credits Are Not Federal Financial Assistance". In order to prevent further federal regulation and control of the schools or the students this type of provision is necessary to ensure that tuition tax credits do not constitute federal financial assistance to the educational institutions or to the recipients of such credits.

15. Philip C. Franchine, "Adoption, Chicago Style", American Education, July, 1982.

The Adopt-a-School program has two goals: 1) to improve the students' ability to read, write, and compute, and 2) to encourage the community, especially the business community, to become better acquainted with the schools.

For example,

Partners: a high school and an accounting firm.

Objectives: improve mathematics skills of 10th grade students.

Programs: demonstrate applications of mathematics in everyday situations and careers.

Provide tutors.

Provide actual corporate case studies to enrich student curriculum.

Develop a program model which uses study of investment options to teach mathematics skills.

16. D. Reyers, "Schools Rebuilding Fortunes on Tax-Exempt Foundations", The Los Angeles Times, May 8, 1982. K. Bates-Logan, "From Civil Rights to Reading Right", Foundation News, July-August, 1982. A. Calvin and P. Keen, "Community Foundations for Public Schools", Phi Delta Kappan, October, 1982.

Eventhough they are regarded with suspicion by those who view foundations as a way to neutralize the effects of the Serrano decision, the number of education foundations is on the rise.

The foundation movement is not confined to California and it is not an upper middle class school district phenomenon. For example, in Washington, D.C. the Washington Parent Group Fund (WPGF), a coalition of lawyers, parents, and corporate executives, raises money for educational enrichment programs in the city's Anacostia district. During the 1982 school year, WPGF funds financed writing workshops, supplemental reading programs, field trips, and teacher instruction.

17. Susanne F. Taranto, "Organizing Volunteers State-wide," American Education, July, 1982.

A successful school volunteer program has been organized and managed through the Florida State Department of Education.

"During 1981 alone it is estimated that over $14,400,000 worth of service in instruction programs was donated to Florida schools, roughly equivalent in dollar value to 1,200,000 instructional hours of tutoring, or 1,750,00 textbooks, or 7,000 ditto machines."

18. Telephone conversation with Mr. Glenn Rhodes, Finance Officer, Winchester, Virginia School District, November 22, 1982.

In 1923, Handley public school was privately endowed. Each year about $54,000 form the endowment fund (administered by a board of trustees) is used to help finance the city's schools.

19. Advisory Commission on Intergovernmental Relation, Changing the Federal Aid System (Washington, D.C.: January, 1982), p. 7.

20. IBID, p. 36.

21. Senator Durenberger, Chairman of the Subcommittee on Intergovernmental Relations, "Two Proposals for a New Federalism", February 4, 1982.

22. The Citizens League, Rebuilding Education to Make it Work (Minneapolis, Minnesota, May, 1982).

Currently, school based management plans are in use in Florida, South Carolina, Utah, and Michigan. Each plan is different and the possible variations are endless. (See Appendix I). Basically, authority is delegated by the school board to principals and "governing" or "advisory" councils to make decisions on issues ranging from financing to what curriculum programs will be offered to hiring teachers and determining salaries.

The "governing" councils are composed of parents, teachers, students, and citizens. The council members are either elected by the public or appointed by the board.

23. Telephone conversation with Larry H. Brown, Florida Department of Education, Tallahassee, Florida, November 16, 1982. The Citizens League, p. iii.

Decision-making authority, once delegated by the school board, is shared with parents, teachers, students and the community and it is to be exercised at

the lowest effective level. "School based management permits bottom-up planning and more control over resources exercised by those most closely involved with the process--teachers, principals, and parents."

24. Telephone conversation with Dave Hunt, The Citizens League staff, Minneapolis, Minnesota, October 14, 1982.

25. Robert Hawkins, Jr., "Educational Opportunity, Parental Choice and Community: The Case for Reforming Education", September, 1982. Robert Hawkins, Jr., "Tuition Tax Credits: Another Voice", American Education, October, 1982.

In the move to centralize educational authority and decision-making the bond between family, school, and community was broken and parents and citizens lost authority over their schools. Today the public school system is run by professionals and is no longer responsive to parents so that we see less parental involvement and participation.

The consolidation of school districts (see Table 6) and the steady increase of state control have given rise to this centralization. The civil rights movement had the unintended effect of further centralizing the school system.

26. "Educational Opportunity, Parental Choice and Community", p. 9.

27. IBID, p. 9.

TABLE I

Elementary and Secondary Education Act of 1965	Education Consolidation and Improvement Act of 1981
Policy:...to provide financial assistance to local education agencies serving areas with concentrations of children from low income families to expand an improve their education programs by various means which contribute particularily to meeting the special needs of educationally deprived children...	Policy:...provide financial assistance... on basis of Title I... but to do so in a manner which will eliminate burdensome, unnecessary, and unproductive paperwork and free the schools of unnecessary Federal supervision, direction, and control...
PROGRAM ELIGIBILITY/FUNDS ALLOCATION: local education agencies serving areas with concentrations of children from low income families appropriations formula: 40% x no. of students in district from low income families and between the ages of 5 and 17 x state's average per pupil expenditure	PROGRAM ELIGIBILITY/FUNDS ALLOCATION: same as Title I
IDENTIFICATION OF ELIGIBLE SCHOOLS:Sec.122-124 Once a district receives its Title I allocation, it must rank its attendance areas from the highest to the lowest on the basis of the concentrations of children, aged 5-17, from low income families. In general, the LEA may carry on a Title I program in an eligible attendance area if it also carries on such a program in all other eligible areas of higher rank. An assessment must be made of the special educational needs of the children: a) identify educationally deprived children b) identify general instructional areas for the program to focus on, and c) diagnose the special needs	IDENTIFICATION OF ELIGIBLE SCHOOLS:Sec.556 School districts will be eligible to receive funds if they provide assurances in their grant applications to the state agency that projects are conducted in "attendance areas ...having the highest concentrations of low income children or are located in all attendance areas of an agency which has a uniformly high concentration of such children or are designed to utilize part of available funds for services which promise to provide significant help for all such children served by an agency." Also required is an annual assessment of educational needs which permits selection of those children who have the greatest need for special assistance and determines the needs of the participating children.
SELECTION OF STUDENTS TO PARTICIPATE: Sec. 123 districts must select students who show the greatest need for those services: a) including the needy transferred to ineligible areas b) continuation of services to educationally deprived children no longer in greatest need c) skipping children who are in greatest need who are receiving assistance from a non-federal program, and d) serving all students if the school has 75%	SELECTION OF STUDENTS TO PARTICIPATE: Sec.556b2 ECIA maintains the policy of serving the neediest, but allows for programs which will, in part, serve all children.

ESEA TITLE I, cont.	ECIA CHAPTER 1, cont.
or more of its students from families in poverty and contributes funds from its own sources to the special compensatory program	
PROVISION OF SERVICES TO MEET SPECIAL EDUCATIONAL NEEDS OF PARTICIPATING STUDENTS: Sec. 124 services must be of sufficient size and scope to show promise of remediating students' needs, be coordinated with services from other sources show consideration for sustaining student gains and whenever possible be guided by a plan developed for each student(Sec. 129). Services must also be available to students in non-public schools within attendance areas(Sec.130)	PROVISION OF SERVICES TO MEET SPECIAL EDUCATIONAL NEEDS OF PARTICIPATING STUDENTS: Sec.556b3-5 requirements of sufficient size and scope, evaluation, examining sustained gains and availability of services for non-public schools are maintained. Title I,Sec. 129 is NOT applicable Chapter I,Sec.557 corresponds to Sec.130 of Title I
DOCUMENTATION BY THE DISTRICT THAT TITLE I SERVICES DO NOT REPLACE THOSE WHICH STUDENTS ARE ALREADY ENTITLED: Sec. 126 presence of Title I funds in a district should not diminish services available to students from other sources of funds-- --amount of resources devoted per pupil to education in the LEA must equal or exceed those expended the year before --Title I funds can be used only for services which exceed the average pupil expenditure in the district --services supported by state and local funds in Title I schools cannot differ from the amount supported on the average in non-Title I schools by more than 5% --for individualized students, Title I services must be extra to those provided from non-federal sources	DOCUMENTATION BE THE DISTRICT THAT TITLE I SERVICES DO NOT REPLACE THOSE WHICH STUDENTS ARE ALREADY ENTITLED: Sec. 558 provisions regarding supplement, not supplant, maintenance of effort and comparability of services are provided in ECIA, but in general, districts and states are given greater flexibility in applying these provisions
INCLUSION OF IMPORTANT GROUPS IN DECISION-MAKING: Sec. 124 and 125 teachers and school boards are to be included in the planning and evaluation of activities parents of participating students must be informed of the program's goals and the children's progress as well as make recommendations and assist in helping the children parent advisory councils are required (Sec. 125	INCLUSION OF IMPORTANT GROUPS IN DECISION-MAKING: Sec. 556 programs will be designed and implemented in consultation with parents and teachers of such children a district will no longer be required to have parent advisory councils, but may continue to do so
EVALUATION OF THE EFFECTIVENESS OF SERVICES: Sec. 124 and 183 districts must evaluate their programs according to a schedule approved by the Department the required evaluations must include:	EVALUATION OF THE EFFECTIVENESS OF SERVICES: Sec. 556b4 ECIA will require districts to evaluate programs in "terms of their effectiveness in achieving the goals set forth for them,

ESEA TITLE I, cont.	ECIA CHAPTER 1, cont.
a) objective measures of educational achievement b) be structured according to one of the three evaluation models or an approved alternative c) include a measure of sustained achievement over longer than 12 months	and that such evaluation shall include objective measurements of educational achievement in the basic skills and a determination of whether improved performance is sustained" (no particular evaluation model is used)
ADMINISTRATION OF TITLE I BY STATE EDUCATION AGENCIES: Sec. 164-170 Administration includes--state approval of district applications, rulmaking, technical assistance, monitoring, withholding of funds, program audits and audit resolutions In order for the state to perform its duties, it is allowed to use 1.5% of the total grant money received (or 225,000 dollars--whichever is more)	ADMINISTRATION OF CHAPTER 1 BY STATE EDUCATION AGENCIES: Sec. 556 (substantial changes in the nature of the state role and responsibility for overseeing compensatory education programs have been made) state agencies SHALL approve local applications if the program assurances decribed earlier are provided states must keep records and provide information to the Secretary as needed for fiscal accountability and program evaluation the role of the states in monitoring and enforcing local programs is greatly reduced and the state education agency's "set aside" will be reduced to a maximum 1%

SOURCE: Comparison of Title I of ESEA of 1965 with Chapter 1 of ECIA of 1981. U.S. Government Printing Office, September 29, 1981. Annual Evaluation Report, Vol. II Fiscal Year 1981. U.S. Department of Education.

Table 2 Enrollment Changes by Ethnic Background, Catholic Elementary and Secondary Schools 1970–1981, by Number and Percentage

	1970–71	1980–81	Change Number	Change Percent
Total enrollment	4,363,600	3,106,300	−1,257,300	− 28.8
Black	209,500	252,900	+ 43,400	+ 20.7
Hispanic	216,500	256,000	+ 39,500	+ 18.2
Asian	23,500	52,100	+ 28,600	+ 121.7
All minority*	449,500	561,000	+ 111,500	+ 24.8

Source: Bruno Manno, "A Statistical Report on U.S. Catholic Schools 1970–81," The National Catholic Education Association, February 1981.
*American Indians, who represent less than one-half of 1 percent of Catholic schools enrollments, are not included.

Table 3 Percentage Enrollment by Ethnic Background, Catholic Elementary and Secondary Schools, 1970–81

	1970–71	1980–81
Black	4.8	8.1
Hispanic	5.0	8.3
Asian	0.5	1.7
American Indian	0.5	0.3
All Others	89.2	81.6

Source: Manno, "A Statistical Report on U.S. Catholic Schools."

Table 4 Enrollment Distribution by Ethnicity, California Public and Private Schools, 1978–79

	Indian	Asian	Black	Hispanic	Other
Public	0.9	4.7	10.1	20.8	63.5
Catholic	0.6	4.9	9.5	26.3	58.9
Lutheran (Missouri Synod)	0	12.0	14.0	2.1	72.9
Lutheran (American)	1.0	2.0	17.0	5.8	75.0
Baptist	0.2	2.4	12.5	8.8	76.1
Episcopal (Los Angeles)	0	9.1	17.0	8.8	65.1
Independent (NAIS)	0.2	4.6	3.5	2.4	89.3

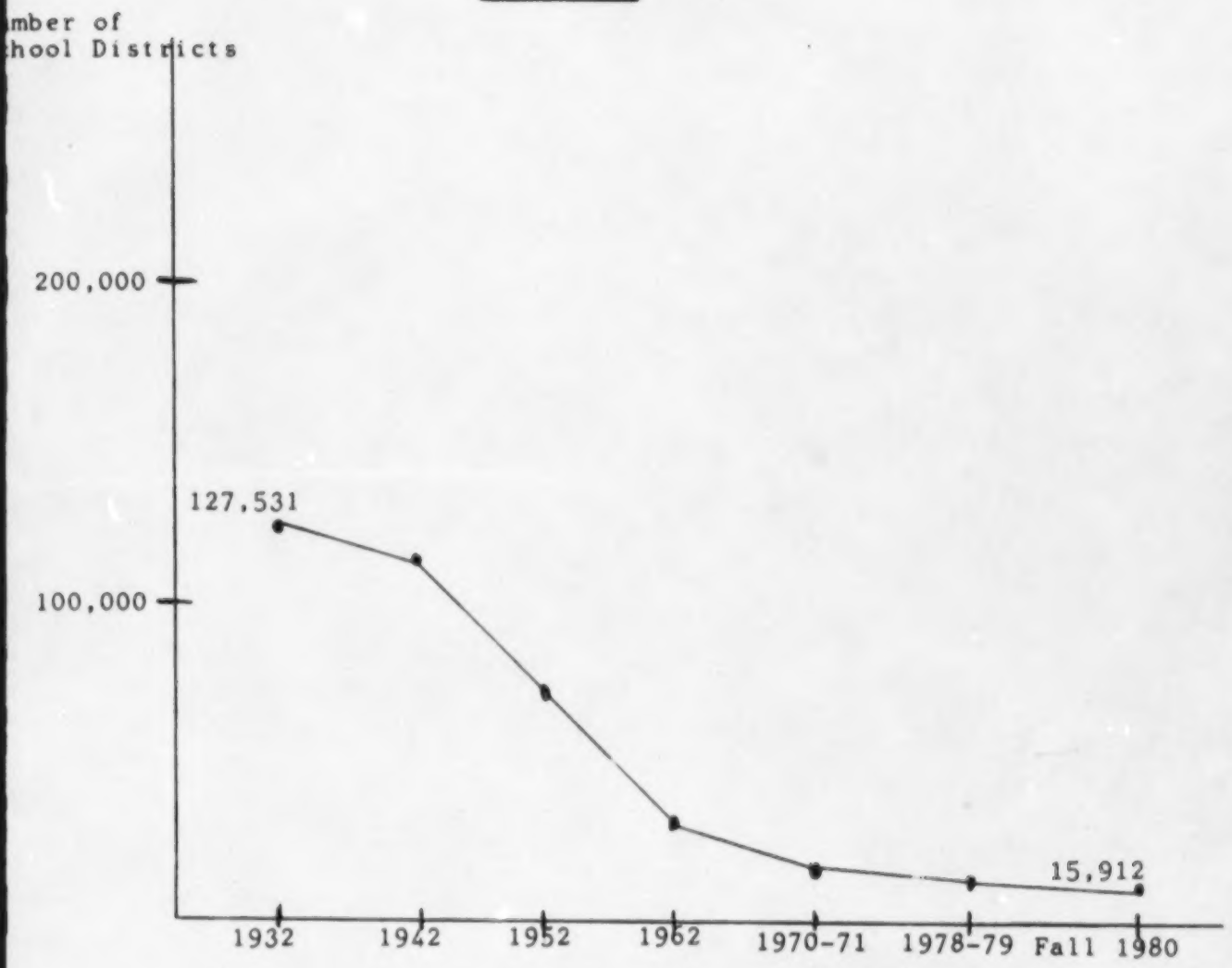
Source: California Executive Council for Nonpublic Schools, California State Department of Education, National Association of Independent Schools (NAIS). Quoted by Thomas Vitullo-Martin in the City Almanac, vol. 13, no. 4, December 1979 (published by the New School for Social Research).

Table 5 Percentage Elementary and Secondary Enrollments in Northeast Region, in Public and Private Schools, by Family Income, 1975

Family Income	Total Families	Private School	Public School
Less than 5,000	7.7	3.8	8.3
5,000–9,999	17.1	12.4	17.8
10,000–14,999	20.5	17.1	21.1
15,000–19,999	20.3	21.7	20.1
20,000–29,999	23.2	28.3	22.3
30,000–49,999	9.2	12.9	8.6
50,000+	2.0	3.8	1.8

Source: U.S. Bureau of the Census, *Survey of Income and Education*, as reported in the *Congressional Record-Senate*, March 20, 1978, pp. S4188–90. Quoted in Vitullo-Martin, *City Almanac*.

TABLE 6



Source: National Center of Education Statistics, "Digest of Education Statistics" 1982. p.59.

APPENDIX I

FORMS OF SCHOOL BASED MANAGEMENT

DIMENSIONS	RANGE OF DIFFERENCES			
	FROM	EFFECT	TO	EFFECT
Curriculum	Centrally developed and administered through directors and coordinators.	Uses most experienced judgment in district. May approach best state of the art in scope, sequence, and materials available. Based on averages and means, if centrally designed.	Based on needs identified by parents, teachers, students, administrators, and by assessments. Teachers develop their own MIS to monitor progress and performance.	Curriculum fits students in school, and is derived from joint efforts. Curriculum based on best judgments in school-community setting. Results monitored by district.
Selection of instructional personnel.	Selected by central administration, usually by personnel officer.	Meets needs of central administration. Uses general criteria.	Selection by faculty and/or faculty and community, with principal, using district guidelines.	Use of personal, program, and community criteria, as well as general criteria. School-community ownership of process and results.
Selection of principal.	Selected by superintendent, with recommendation to Board.	Meets needs of superintendent. Principal has power base with superintendent.	Superintendent and board select from among candidates interviewed and recommended by teachers and community members.	May meet needs of teachers, community members and superintendent, along with board. New principal has broader power base.
Decision-making.	According to function, position, or status.	Maintains centralized system.	Shared decision making. Sharing takes place around action and information. Fewer decisions made unilaterally.	Increases available information in system; more people know what goes into making decisions; broadens power base.
Comprehensive planning.	Major planning done in central office by one or two people. Top down planning.	Plans owned by one or two. Learning about planning limited. Responsibility for implementation may not be felt by teachers.	Continuous planning in schools by schools as units and by programs. Administrator planning visible and and clearly separate from instructional planning. Bottoms up planning.	Plans widely owned. Learning about planning distributed widely. Responsibility for implementation shared. Accountability clear.
Financing	Teacher units allocated to schools on teacher-student ratio basis. Schools given permission to order materials and supplies up to certain	Power of the budget remains in central office. Relationship between budget curriculum, and staffing not	Lump sum budgets to schools, with discretion to transfer funds from one budget category to another. Schools benefit from con-	Principal and teachers have independent power base. Principal and teachers consider alternative uses of money. Curriculum con-

FORMS OF SCHOOL BASED MANAGEMENT Cont.

DIMENSIONS	RANGE OF DIFFERENCES			
	FROM	EFFECT	TO	EFFECT
	limit. Savings and deficits are accrued at central office.	clear to anyone but budget officer. Inequities in spending not easy to see.	trolling costs in certain areas, such as water consumption, electric consumption, substitutes used, maintenance, and materials. Schools can carry over surplus or deficit.	nected to budget. Ability to carry over and to run deficit puts reality in forecasting and planning. Inequities clearly visible.
Setting goals and objectives for change and improvement (organizational and instructional).	Set by central office and board sent to schools for them to implement.	Data used in goal setting not known to people in schools. Goals do not take into account goals of schools as social systems.	Goals and objectives developed in schools and agreed to by superintendent and board after negotiation of differences.	Goals and objectives jointly owned, goal setting is learning process in schools and central office. Also relationship building.
Monitoring of goal achieving efforts.	Performed by schools.	Central office ignorant of actual monitoring and auditing processes.	Joint auditing and monitoring of goals achievement activities.	Mutual ownership of implementation activities and processes.
Performance analysis and assessment.	Performed by central office in form of input analysis (are schools following central directives).	Input-oriented system.	Performed by specially trained team from central office, after schools have also completed performance analysis.	Results oriented system, in which focus is on behavior which produces results.

SOURCE: Orin South Outline of presentation for Brevard County, August 1-2, 1978

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